

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case No.**
:
LEHMAN BROTHERS HOLDINGS INC., et al., : **08-13555 (JMP)**
:
Debtors. : **(Jointly Administered)**
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**ORDER GRANTING DEBTORS' THIRTY-THIRD OMNIBUS
OBJECTION TO CLAIMS (DUPLICATIVE CLAIMS)**

Upon the thirty-third omnibus objection to claims, dated July 19, 2010 (the “Thirty-Third Omnibus Objection to Claims”),¹ of Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the “Debtors”), seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 6664], disallowing and expunging the Duplicative Claims on the grounds that such claims are duplicative of the corresponding Surviving Claims, either exactly or in substance, all as more fully described in the Thirty-Third Omnibus Objection to Claims; and due and proper notice of the Thirty-Third Omnibus Objection to Claims having been provided, and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Thirty-Third Omnibus Objection to Claims is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Thirty-Third Omnibus Objection to Claims

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors’ Thirty-Third Omnibus Objection to Claims.

establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Thirty-Third Omnibus Objection to Claims is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit 1 annexed hereto under the heading “*Claims to be Disallowed and Expunged*” (collectively, the “Duplicative Claims”) are disallowed and expunged; and it is further

ORDERED that the claims listed on Exhibit 1 annexed hereto under the heading “*Surviving Claims*” (collectively, the “Surviving Claims”) will remain on the claims register subject to the Debtors’ right to further object as set forth herein; and it is further

ORDERED that this Order supersedes all previous orders regarding the disposition of the Duplicative Claims listed on Exhibit 1 annexed hereto; and it is further

ORDERED that all information included on and all documentation filed in support of any Duplicative Claims, including, but not limited to, derivative and guarantee questionnaires and supporting documentation, shall be treated as having been filed in support of the corresponding Surviving Claims; and it is further

ORDERED that nothing in this Order or the disallowance and expungement of the Duplicative Claims constitutes any admission or finding with respect to any of the Surviving Claims, and the Debtors’ rights to object to the Surviving Claims on any basis is preserved; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to, (i) any claim listed on Exhibit A annexed to the Thirty-Third

Omnibus Objection to Claims under the heading “*Claims to be Disallowed and Expunged*” that is not listed on Exhibit 1 annexed hereto and (ii) any Surviving Claim; *provided, however,* that if the Court subsequently orders that a Surviving Claim is not appropriately duplicative of the corresponding Duplicative Claim, then the claims agent shall be authorized and directed to immediately reinstate such Duplicative Claim in these chapter 11 cases (the “Reinstated Claim”) and the rights of all interested parties with respect to the Reinstated Claim shall be expressly reserved; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York
September 2, 2010

s/ James M. Peck
Honorable James M. Peck
United States Bankruptcy Judge

EXHIBIT 1

IN RE: LEHMAN BROTHERS HOLDINGS, INC. CASE NO: 08-13555 (JMP)

OMNIBUS OBJECTION 33: EXHIBIT 1 - DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED AND EXPUNGED					SURVIVING CLAIMS					
	NAME	DATE FILED	CASE NUMBER	CLAIM #	TOTAL CLAIM DOLLARS	NAME	DATE FILED	CASE NUMBER	CLAIM #	TOTAL CLAIM DOLLARS
1	1199 SEIU GREATER NEW YORK BENEFIT FUND ATTN: ANTHONY PETRELLA 330 WEST 42ND STREET NEW YORK, NY 10036	09/22/2009	08-13555 (JMP)	30612	\$116,916.70*	1199 SEIU GREATER NEW YORK BENEFIT FUND ATTN: ANTHONY PETRELLA 330 WEST 42ND STREET NEW YORK, NY 10036	09/22/2009	08-13555 (JMP)	30600	\$116,916.70*
2	BAUERMEISTER, JURGEN H 9 GARTHSIDE CHURCH ROAD, HAM RICHMOND, SURREY, TW105JA UNITED KINGDOM	09/22/2009		31417	\$290,441.10	BAUERMEISTER,JURGEN H 9 GARTHSIDE CHURCH ROAD, HAM RICHMOND, SURREY, TW105JA UNITED KINGDOM	09/21/2009		24307	\$290,441.10
3	BOILERMAKER- BLACKSMITH NATL PENSION TR 756 MINNESOTA AVE KANSAS CITY, KS 66101	09/22/2009		31074	\$684,508.00	BOILERMAKER- BLACKSMITH NATL PENSION TR 756 MINNESOTA AVE KANSAS CITY, KS 66101	08/31/2009		9817	\$684,508.00
4	BOILERMAKER- BLACKSMITH NATL PENSION TR 756 MINNESOTA AVE KANSAS CITY, KS 66101	09/22/2009		31073	\$849,418.00	BOILERMAKER- BLACKSMITH NATL PENSION TR 756 MINNESOTA AVE KANSAS CITY, KS 66101	08/31/2009		9815	\$849,418.00
5	DALY, BRENDAN 1076 PILGRIM PASS VICTOR, NY 14564	09/22/2009		31273	\$14,807.69	DALY, BRENDAN 1076 PILGRIM PASS VICTOR, NY 14564-9729	09/22/2009		31275	\$14,807.69

* - Indicates claim contains unliquidated and/or undetermined amounts

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OMNIBUS OBJECTION 33: EXHIBIT 1 - DUPLICATIVE CLAIMS

CLAIMS TO BE DISALLOWED AND EXPUNGED					SURVIVING CLAIMS					
	NAME	DATE FILED	CASE NUMBER	CLAIM #	TOTAL CLAIM DOLLARS	NAME	DATE FILED	CASE NUMBER	CLAIM #	TOTAL CLAIM DOLLARS
6	DALY, BRENDAN 23 WEST 56TH ST. APT. 2 NEW YORK, NY 10019	09/22/2009		31274	\$14,807.69	DALY, BRENDAN 1076 PILGRIM PASS VICTOR, NY 14564-9729	09/22/2009		31275	\$14,807.69
7	MAYR, FRANZ ERDINGER STR. 28 BERGLERN, 85459 GERMANY	12/28/2009	08-13555 (JMP)	66093	\$14,243.00	MAYR, FRANZ ERDINGER STR. 28 BERGLERN, 85459 GERMANY	12/28/2009	08-13555 (JMP)	66091	\$14,243.00
8	PAPROSKI, MARGARET D. 1115 PINE RIDGE CT NAPERVILLE, IL 60540-8143	09/21/2009		24722	Undetermined	PAPROSKI, MARGARET D. 18512-93 AVENUE EDMONTON, ALBERTA, CANADA	09/21/2009	08-13555 (JMP)	24723	Undetermined
9	ROSARIO, NOEL PAID DETAIL UNIT ATTN: NADINE POPE 51 CHAMBERS STREET - 3RD FLOOR NEW YORK, NY 10007	09/18/2009	08-13555 (JMP)	33357	\$1,188.00	ROSARIO, NOEL ATTN: NADINE POPE PAID DETAIL UNIT 51 CHAMBERS STREET- 3RD FLOOR NEW YORK, NY 10007	09/18/2009	08-13555 (JMP)	19053	\$1,188.00
10	VEDOVOTTO, ROBERTO VIA OSPEDALE CIVILE 20 PADOVA, 35121 ITALY	09/21/2009		24729	\$7,668,375.00	VEDOVOTTO, ROBERTO VIA OSPEDALE CIVILE 20 PADOVA, 95121 ITALY	09/16/2009		14279	\$7,668,375.00
TOTAL					\$9,654,705.18					

* - Indicates claim contains unliquidated and/or undetermined amounts

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